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CENTRAL FAX CENTER****MAR 07 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/089,364 Confirmation No.: 7785  
Applicant : Richardson et al.  
Filed : July 9, 2002  
Art unit : 1638  
Examiner : Stuart F. Baum  
For : **EXPRESSION OF PHYTASE IN PLANTS AS A METHOD  
OF MODIFYING PLANT PRODUCTIVITY**  
Docket No. : 37-02  
Customer No. : 23713

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to the  
Patent and Trademark Office No. 571-273-8300

7 March 2006  
Date

B. Kroge  
B. Kroge

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 8, 2005, Applicants respectfully request reconsideration of the rejection and entry of this Amendment. This Amendment is accompanied by a Notice of Appeal, a Petition for Extension of Time and the fee. Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

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